

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-27 are pending in this application. Claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. patent application publication 2002/0124079 A1 to Pulsipher in view of U.S. patent application publication 2002/0059410 A1 to Hara et al. (herein “Hara”). Claims 4-6, 13-15, and 22-24 were rejected under 35 U.S.C. §103(a) as unpatentable over Pulsipher in view of Hara and further in view of U.S. patent 7,080,141 to Baekelmans et al. (herein “Baekelmans”). Claims 9, 18, and 27 were rejected under 35 U.S.C. §103(a) as unpatentable over Pulsipher in view of Hara, further in view of Baekelmans, and further in view of U.S. patent 6,834,350 B1 to Boroughs et al. (herein “Boroughs”). Claims 7, 16, and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Pulsipher in view of Hara, and further in view of U.S. patent 6,112,015 to Planas et al. (herein “Planas”). Claims 8, 17, and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Pulsipher in view of Hara, and further in view of U.S. patent 6,539,425 B1 to Stevens et al. (herein “Stevens”).

Addressing the above-noted prior art rejections, those rejections are traversed by the present response.

Initially, applicant notes each of the independent claims is amended by the present response to clarify features recited therein. Specifically, independent claim 1 clarifies the device therein is directed to a plug-in “for use with plural different standard network management software by being installed in a network server storing a respective one of the standard network management software”. The other independent claims are similarly amended. The amended claimed subject matter is supported by the original specification, for example at page 4, lines 1-8.

With reference to Figure 2 in the present specification as a non-limiting example, the claims are directed to a plug-in 11 that connects to standard network management software 13, and all the operations performed by the plug-in are performed through the network management software 13. The present specification sets forth such an operation at page 4, lines 1-5, stating:

The present invention is in specific detail directed to the plug-in 11 that can be installed in the network server 10 and that allows remote device management to be realized without requiring the use of any additional dedicated hardware. The plug-in 11 essentially utilizes the network management software 13, in this example the HP Open View™, as a platform for its operations.

Thereby, one benefit realized in the claimed invention is to be able to utilize existing standard network management software 13 and to avoid requiring additional dedicated hardware. In those ways the claimed invention clearly differs from Pulsipher.

Each outstanding grounds for rejection relies on Pulsipher as the primary reference. The outstanding rejections specifically rely on Pulsipher to disclose a plug-in by device discovery module 300 that the Office Action indicates can be used with a standard network management software 140, see for example Figure 3 in Pulsipher. In maintaining the outstanding rejection the outstanding Office Action states:

Pulsipher in Figure 3 and paragraph [0028] clearly suggests/implies that the Network Management Software 140 comprises the device discovery module 300. Applicant is specifically directed to paragraph [0028] lines 1-3, which states a software architecture of a device discovery module 300 of the network management software 140. Applicant believes that Figure 3 and paragraph [0028] is merely describing the broken down portions of the Network Management Software 140.¹

That grounds for rejection appears to take the position that in Pulsipher the device discovery module 300 is an integral part of the network management software 140. If that is the basis for the outstanding rejections, applicant respectfully submits such an interpretation

¹ Office Action of September 18, 2007, page 11, last paragraph.

of Pulsipher clearly indicates the noted device discovery module 300 is not a “plug-in, for use with plural different standard network management software by being installed in a network server storing a respective one of the standard network management software”. In the claims the “plug-in” is not integrally part of a single network management software, but instead is a plug-in that can be utilized with plural different such standard network management software.

Thereby, the interpretation of the outstanding rejection noted above is in contrast to the claimed features. Clearly if Pulsipher is interpreted such that the device discovery module 300 is an integral part of the network management software 140, that would indicate that such a device discovery module 300 is not designed to be plugged-in with plural different standard network management software.

Applicant also notes an alternative interpretation in Pulsipher is that the device discovery module 300 is a separate element from the network management software 140, but even under that interpretation the claims as written distinguish over the applied art.

Pulsipher in Figure 3 shows the device discovery module 300 that connects to a network interface 150. The device discovery module 300 also connects to the network manager software 140. However, with the connection to the network interface 150 the device discovery module 300 does not utilize the network management software 140 for its operations. Instead, the separate device discovery module 300 performs its own operations.

Applicants also note as shown in Figure 3 in Pulsipher the device discovery module 300 appears to include specialized hardware such as the device finer module 310 and the topology database 320. The claims are directed to a device that can avoid utilizing such dedicated hardware.

In the claimed invention, in contrast to Pulsipher, a plug-in is utilized to connect to existing network management software 13 to utilize that network management software. Pulsipher does not operate in that manner in that Pulsipher does not utilize the network

manager software 140 for access to a database, to determine devices on the network, and to report a polling. Instead in Pulsipher the specialized dedicated device discovery module 300 is utilized.

In view of the foregoing comments, applicant respectfully submits that under any interpretation in Pulsipher, the claims as written clearly distinguish over the outstanding grounds for relying on Pulsipher.

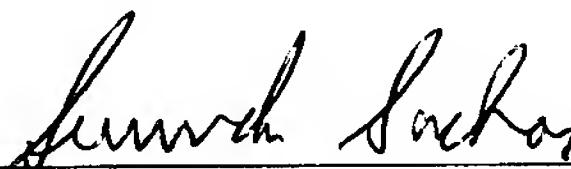
Moreover, no disclosures in any of the secondary cited references cure the above-discussed deficiencies in Pulsipher.

Thereby, the claims as written are believed to clearly distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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